

REMARKS

Applicant is in receipt of the Office Action mailed June 16, 2004. Claims 3, 15, 23, and 32 have been cancelled. Claims 1, 11, 21, and 30 have been amended. New claims 36-39 have been added. Thus, claims 1-2, 4-14, 16-22, 24-31, and 33-39 remain pending in the application. Further consideration of the present case is earnestly requested in light of the following remarks.

Allowed Matter

Applicant appreciates the Examiner's allowance of the subject matter of claims 3, 8-10, 15, 20, 23, 27, 29, 32, 33, and 35. Applicant has accordingly amended the independent claims to include allowable matter and added new claims 36-39 to more completely claim the invention.

Section 102 Rejections

The Office Action rejected claims 1-2, 11-14, 21, 22, 30, and 31 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,903,458 to Stewart et al. ("Stewart"). Applicant respectfully submits that the above amendments to the claims, wherein subject matter indicated as allowable by the Examiner has been included in the independent claims, bring the claims into condition for allowance. More specifically, Applicant has amended independent claims 1, 11, 21, and 30 to include the allowable subject matter of claims 3, 15, 23, and 32, respectively, and has added new claims 36-39 that include the limitations of the original independent claims, as well as the allowable subject matter of claims 8, 20, 27, and 35, respectively.

Applicant thus submits that the claims as currently written are patentably distinct and non-obvious over the cited art. Removal of the 102 rejection of claims 1-2, 11-14, 21, 22, 30, and 31 is earnestly requested.

Section 103 Rejections

The Office Action rejected claims 4, 16, and 28 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,903,458 to Stewart et al. ("Stewart") in view of Ge et al. (U.S. Patent No. 6,124,858 ("Ge")), and further rejected claims 5-7, 17-19, 24-26, and

34 under 35 U.S.C. 103(a) as being unpatentable over Stewart, in view of Ge, and further in view of Simpson (U.S. Patent No. 5,268,998, "Simpson").

Applicant respectfully submits that the above amendments to the claims, wherein subject matter indicated as allowable by the Examiner has been included in the independent claims, bring the claims into condition for allowance. More specifically, Applicant has amended independent claims 1, 11, 21, and 30 to include the allowable subject matter of claims 3, 15, 23, and 32, respectively, and has added new claims 36-39 that include the limitations of the original independent claims, as well as the allowable subject matter of claims 8, 20, 27, and 35, respectively.

Applicant thus submits that the claims as currently written are patentably distinct and non-obvious over the cited art. Removal of the 103 rejection of claims 4-7, 16-19, 24-26, and 28 is earnestly requested.

Applicant also asserts that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the independent claims have been shown to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

CONCLUSION

In light of the above remarks, Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-44800/JCH.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☒ Notice of Change of Address

Respectfully submitted,



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